

DOA: 11/17/2024

UNITED STATES DISTRICT COURT

for the
District of Arizona

United States of America)
v.)
Jose Omar Bojorquez-Sanchez,)
a.k.a. Jose David Bojorquez-Sanchez,)
a.k.a. Juan David Molina Sanchez)
A #077 985 774

Case No.

24-3410 MS

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about October 16, 2024, in Maricopa County, in the District of Arizona, the defendant violated Title 8, United States Code, Section 1326(a) (Reentry of Removed Alien), an offense described as follows:

Jose Omar Bojorquez-Sanchez, an alien, was found in the United States at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, and removed from the United States at or near Calexico, California, on or about May 17, 2015, and not having obtained the express consent of the Attorney General or the Secretary of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1) (Reentry of Removed Alien). I further state that I am a Deportation Officer.

This criminal complaint is based on these facts:

See Attached Statement of Probable Cause Incorporated By Reference Herein

CHARLES BAILEY Digitally signed by CHARLES BAILEY
Date: 2024.11.18 11:59:29 -07'00'

AUTHORIZED BY: Charles E. Bailey Jr., P.S. for AUSA Travis L. Wheeler

☒ Continued on the attached sheet.

LUIS E TERAN Digitally signed by LUIS E TERAN
Date: 2024.11.18 12:39:50 -07'00'

Complainant's signature

Luis E. Teran
Deportation Officer

Printed name and title

Sworn to telephonically.

Date: November 18, 2024

M Morrissey

Judge's signature

City and state: Phoenix, Arizona

Michael T. Morrissey
United States Magistrate Judge

Printed name and title

STATEMENT OF PROBABLE CAUSE

I, Deportation Officer Luis E. Teran, declare under penalty of perjury that the following is true and correct.

1. I am a Deportation Officer. I have learned the facts recited herein from direct participation in the investigation and from the reports and communications of other agents and officers.
2. On or about October 16, 2024, Jose Omar Bojorquez-Sanchez was arrested by officers with the Arizona Department of Public Safety and booked into the Maricopa County Jail (MCJ), in, Phoenix, Arizona, on local charges. While Bojorquez-Sanchez was incarcerated at the MCJ, ICE agents interviewed him and determined him to be a citizen of Mexico, unlawfully present in the United States. On the same date, an immigration detainer was lodged with the MCJ for Bojorquez-Sanchez. On or about November 17, 2024, Bojorquez-Sanchez was released to ICE custody and transported to the Phoenix ICE detention office for further investigation and processing.
3. Immigration history checks revealed Jose Omar Bojorquez-Sanchez to be a citizen of Mexico and a previously deported alien. Bojorquez-Sanchez was removed from the United States to Mexico through Calexico, California, on or about May 17, 2015, pursuant to a final order of removal issued by an immigration official. There is no record of Bojorquez-Sanchez in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of Homeland Security

to return to the United States after his last removal. Bojorquez-Sanchez 's immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that on or about March 30, 2015, Jose Omar Bojorquez-Sanchez was convicted of was convicted of Re-Entry of Removed Alien, a felony offense, in the United States District Court, District of Arizona. Bojorquez-Sanchez was sentenced to six (6) months of imprisonment, and three (3) years of supervised release. Bojorquez-Sanchez's criminal history was matched to him by electronic fingerprint comparison.
5. On or about November 17, 2024, Jose Omar Bojorquez-Sanchez was advised of his constitutional rights. Bojorquez-Sanchez freely and willingly acknowledged his rights but did not agree to provide a statement under oath. However, on or about October 16, 2024, during his initial encounter with ICE, Bojorquez-Sanchez admitted that he illegally entered the United States of America at or near Nogales, Arizona, in or around "2015."
6. For these reasons, this affiant submits that there is probable cause to believe that on or about October 16, 2024, Jose Omar Bojorquez-Sanchez, an alien, was found in the United States at or near Phoenix, in the District of Arizona, after having been previously denied admission, excluded, deported, or removed from the United States at or near Calexico, California, on or about May 17, 2015, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for

admission to the United States, in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1) (Reentry of Removed Alien).

7. This affidavit was sworn to telephonically before a United States Magistrate Judge legally authorized to administer an oath for this purpose. I have thoroughly reviewed the affidavit and the attachments to it, and attest that there is sufficient evidence to establish probable cause that the defendant violated Title 8, United States Code, Section 1326(a), and enhanced by (b)(1) (Reentry of Removed Alien).

LUIS E TERAN Digitally signed by LUIS E TERAN
Date: 2024.11.18 12:40:26 -07'00'

Luis E. Teran
Deportation Officer
Immigration and Customs Enforcement

Sworn to telephonically on
November 18, 2024

M Morrissey

Michael T. Morrissey
United States Magistrate Judge